

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOEL S. ARIO, in his official capacity as  
Acting Insurance Commissioner of the  
Commonwealth of Pennsylvania, as statutor  
Liquidator of RELIANCE INSURANCE  
COMPANY (IN LIQUIDATION)  
1311 Strawberry Square  
Harrisburg, Pennsylvania 17120

Plaintiff,

v.

NOVAPRO RISK SOLUTIONS, LP f/k/a  
WARD NORTH AMERICA HOLDING,  
INC. d/b/a WARD NORTH AMERICA,  
INC.  
401 West "A" Street, Suite 1400  
San Diego, CA 92101

Defendant.

Civil Action No. 07-cv-8452

**NOTICE OF MOTION TO  
ADMIT COUNSEL *PRO HAC*  
VICE**


FILED  
U.S. DISTRICT COURT  
2007 NOV 16 PM 12:34  
S.D. OF N.Y.

TO: Counsel on the Attached Service List

**PLEASE TAKE NOTICE** that upon the annexed affidavit of John A. Wait in support of this motion, the annexed Certificates of Good Standing annexed thereto, the undersigned will move this Court before the Honorable Barbara S. Jones at the United States Courthouse for the Southern District of New York, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Courts for the Eastern and Southern Districts of New York, for an Order allowing the admission of Gerald Arth, a member of the firm of Fox Rothschild LLP, 2000 Market St., 10th Floor, Philadelphia, PA 19103, telephone number (215)299-2000, email address garth@foxrothschild.com, and a member in good standing of the Bars of the States of New York and Pennsylvania, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. There are no pending disciplinary proceedings against me in any State or Federal court.

Respectfully submitted,

**FOX ROTHSCHILD LLP**

  
John A. Wait, Esquire (JW 2558)

100 Park Avenue, Suite 1500  
New York, NY 10017  
212-878-7900; Fax. 212-692-0940  
[jwait@foxrothschild.com](mailto:jwait@foxrothschild.com)

**SERVICE LIST**

Joan M. Gilbride, Esq.  
Kaufman, Borgeest & Ryan LLP  
99 Park Avenue, 19<sup>th</sup> Fl.  
New York, NY 10016

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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**AFFIDAVIT IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
*PRO HAC VICE***

State of New York     )  
                              )  
County of New York    )

ss:

John A. Wait, being duly sworn, hereby deposes and says as follows:

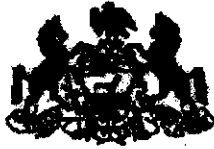
1. I am an associate at the law firm of Fox Rothschild, LLP, counsel for Plaintiff in the above captioned action, and am a member in good standing of the Bar of the State of New York. I was admitted to practice law in the State of New York in 2006. I am also admitted to the Bar of the United States District Courts for the Eastern and Southern District of New York, and am a member in good standing with those Courts.
2. I am pleased to move for admission *pro hac vice* Gerald Arth, Esquire, a partner at the law firm of Fox Rothschild, LLP, a member in good standing of the Bars of the Commonwealth of Pennsylvania and the State of New York and an exemplary attorney. I have known Gerald Arth for three years.
3. Annexed hereto as Exhibit A and Exhibit B are the Certificates of Good Standing from the Commonwealth of Pennsylvania and the State of New York.
4. There are no pending disciplinary proceedings against Gerald Arth in any State or Federal court.

5. Wherefore I respectfully submit that Gerald Arth be permitted to appear as counsel and advocate *pro hac vice* in this one case.

**FOX ROTHSCHILD LLP**

A handwritten signature in black ink, appearing to read 'John A. Wait', is written over a horizontal line.

John A. Wait, Esquire (JW 2558)  
100 Park Avenue, Suite 1500  
New York, NY 10017  
212-878-7900; Fax. 212-692-0940  
jwait@foxrothschild.com



**Supreme Court of Pennsylvania**

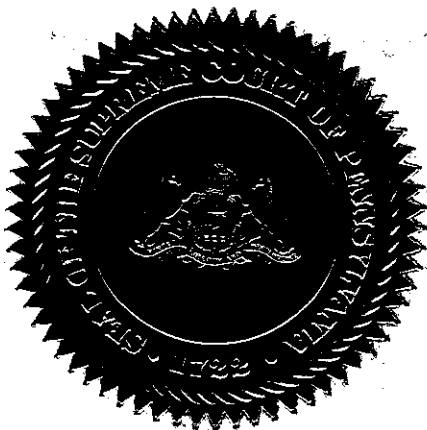
**CERTIFICATE OF GOOD STANDING**

***Gerald E. Arth, Esq.***

**DATE OF ADMISSION**

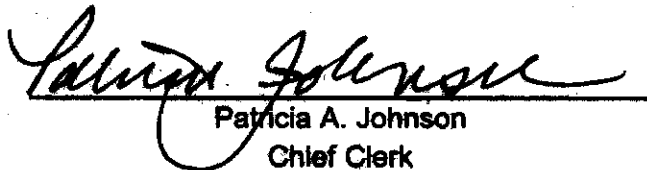
***December 15, 1986***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: October 22, 2007**

  
Patricia A. Johnson  
Chief Clerk



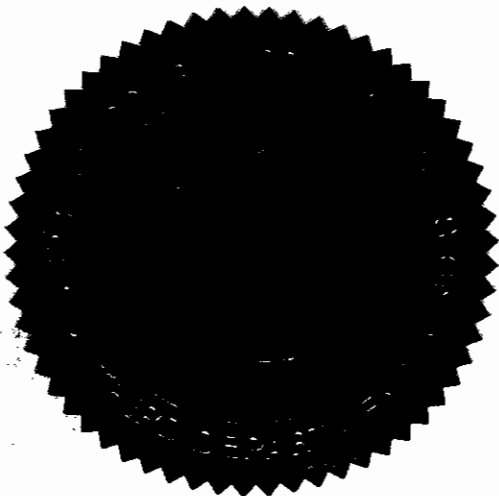
*State of New York*  
*Supreme Court, Appellate Division*  
*Third Judicial Department*

*I, Michael J. Novack, Clerk of the Appellate Division of the  
Supreme Court of the State of New York, Third Judicial Department, do  
hereby certify that*

*Gerald Edward Arth*

*having taken and subscribed the Constitutional Oath of Office as prescribed by  
law, was duly licensed and admitted to practice by this Court as an Attorney  
and Counselor at Law in all courts of the State of New York on the 13th day  
of May, 1997, is currently in good standing and is registered with the  
Administrative Office of the Courts as required by section four hundred sixty-  
eight-a of the Judiciary Law.*

*In Witness Whereof, I have hereunto set my hand  
and affixed the Seal of said Court, at the  
City of Albany, this 8th day of  
November, 2007.*



*Michael J. Novack*  
Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOEL S. ARIIO, in his official capacity as  
Acting Insurance Commissioner of the  
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Defendant.

Civil Action No. 07-cv-8452

**ORDER FOR ADMISSION TO  
PRACTICE *PRO HAC VICE* ON  
WRITTEN MOTION**

Upon the motion of John A. Wait, attorney for Plaintiff, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Gerald Arth  
Fox Rothschild LLP  
2000 Market St., 10th Floor  
Philadelphia, PA 19103  
(215)299-2000  
garth@foxrothschild.com

is admitted to practice *pro hac vice* as counsel for Plaintiff in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:  
New York, New York:

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United States District Judge



**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

HEATHER WRENN, being duly sworn, deposes and says:

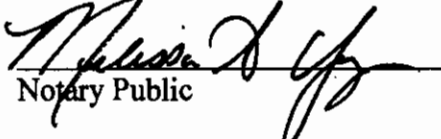
I am not a party to the action, am over 18 years of age and employed by Fox Rothschild LLP.

On November 16, 2007, I served a true copy of the within **Notice of Motion for Leave for Gerald Arth to Appear Pro Hac Vice** by causing such document to be delivered via First Class Mail to:

Joan M. Gilbride, Esq.  
Kaufman, Borgeest & Ryan LLP  
99 Park Avenue, 19<sup>th</sup> Fl.  
New York, NY 10016

  
HEATHER WRENN

Sworn to before me this  
16<sup>th</sup> day of November, 2007

  
Notary Public

MELISSA A. YOUNGMAN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02YO6120637  
Qualified in New York County  
My Commission Expires December 27, 2008